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Patent
Case No.: 55814US004

32692

Customer Number

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: CHOU, YEUN-JONG
Application No.: 09/954751 Group Art Unit: 3723
Filed: September 18, 2001 Examiner: Rachuba, Maurina T.
Title: UNITARY BRUSH HAVING ABRASIVE COATED BRISTLES AND METHOD
OF MAKING THE SAME

REQUEST FOR RECONSIDERATION UNDER 37 CFR § 1.197(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR § 1.8(a))

I hereby certify that this correspondence is being:

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10/18/05

Signed by: *Kmer J. Ziehl*

Dear Sir:

The Appeal Board has decided to affirm the Examiner's rejection of appellants' claims 1 and 3-13. Appellants hereby request rehearing regarding these claims. The Appeal Board apparently has overlooked the fact that notwithstanding the paragraph at col. 17, lines 54-55, Johnson et al.'s '067 bristles are required to internally contain the abrasive particles and it would be contrary to the Johnson et al. '067 invention to place an abrasive coating on the exterior of their bristles.

On page 6, the appeal decision refers to the discussion in Barber '794 for modifying molded abrasive brush of Johnson '067 in the manner posited by the Examiner, including the discussion in the "Background Art" section of Barber '794 and certain disadvantages associated with brushes formed using abrasive particles uniformly dispersed in a polymer matrix to make the bristles or filaments, (see column 2, lines 37-64, of Barber '794). The decision goes on to say, "The problems associated with abrasive filled nylon bristle brushes are at least in part overcome by utilizing a composite abrasive filament comprising a preformed "core" coated with an abrasive-filled thermoplastic elastomer"

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One skilled in the art would not modify Johnson et al. '067 to include a coating of binder material and abrasive particles on the exterior of the surface of the disclosed article since there is no proper suggestion in Johnson et al. '067 of the desirability of this combination.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723.

Respectfully submitted,

10/12/05
Date

By:

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